

REGULAR WEEKLY SESSION-----ROANOKE CITY COUNCIL

December 6, 2004

9:00 a.m.

The Council of the City of Roanoke met in regular session on Monday, December 6, 2004, at 9:00 a.m., in the Emergency Operations Center Conference Room, Room 159, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Mayor C. Nelson Harris presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended, and pursuant to Resolution No. 36193-010603 adopted by Council on January 6, 2003, which changed the time of commencement of the regular meeting of Council to be held on the first Monday in each month from 12:15 p.m. to 9:00 a.m., and pursuant to Resolution No 36762-070604 adopted by Council on Tuesday, July 6, 2004, which established the meeting schedule for the fiscal year commencing July 1, 2004 and ending June 30, 2005.

PRESENT: Council Members Beverly T. Fitzpatrick, Jr., Sherman P. Lea, Brenda L. McDaniel, Brian J. Wishneff (arrived late), M. Rupert Cutler, Alfred T. Dowe, Jr., and Mayor C. Nelson Harris-----7.

ABSENT: None-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

COMMITTEES-CITY COUNCIL: A communication from Mayor C. Nelson Harris requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, and to interview applicants for vacancies on the City Planning Commission, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended, was before the body.

Mr. Fitzpatrick moved that Council concur in the request of the Mayor to convene in Closed Meeting as above described. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Fitzpatrick, Lea, McDaniel, Cutler, Dowe and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Wishneff was not present when the vote was recorded.)

At 9:05 a.m., the Mayor declared the meeting in recess for three interviews for vacancies on the City Planning Commission, to be held in the Council's Conference Room, Room 451, Noel C. Taylor Municipal Building.

At 10:35 a.m., the Council meeting reconvened in Room 159, Noel C. Taylor Municipal Building, with all Members of the Council in attendance.

ITEMS LISTED ON THE 2:00 P.M., COUNCIL DOCKET REQUIRING DISCUSSION/CLARIFICATION, AND ADDITIONS/DELETIONS TO THE 2:00 P.M., AGENDA: NONE.

TOPICS FOR DISCUSSION BY THE MAYOR AND MEMBERS OF COUNCIL: NONE.

BRIEFINGS:

SEWERS AND STORM DRAINS-CONSULTANTS REPORTS: Philip C. Schirmer, City Engineer, presented a briefing on storm water capital projects and the storm water utility feasibility progress report. He introduced Douglas Mosely and Elizabeth Treadway, representing AMEC Earth and Environmental, Inc., to present portions of the briefings.

The City Engineer advised that the Vision 2001-2020 Comprehensive Plan provides that the City of Roanoke will protect the environment and ensure quality air and water for the citizens of the region; special emphasis will be placed on the Roanoke River and its tributaries; and storm water management will be addressed on a regional as well as a local level.

Vision 2001-2020 actions include:

- Limit impervious surface to limit runoff.
- Plant natural vegetation, preferably indigenous native species, on land adjacent to the Roanoke River.
- Ensure integrity of storm and waste water systems.
- Protect and stabilize stream banks by controlling storm water flow and preventing discharge through vegetative buffers, bioengineering and other related methods.
- Protect the shorelines of the Roanoke River, enhance their scenic quality and protect water quality through a river quality conservation district and other appropriate tools.

Mr. Schirmer stated that the drainage problem in Roanoke deals with Roanoke's geography and its location within the watershed; surrounding watersheds draining through Roanoke are in excess of 500 square miles, or 320,000 acres of drainage that comes through from the tributaries of the Roanoke River; and the City of Roanoke consists of about 43.02 square miles, therefore, the watershed surrounding Roanoke is nearly ten times the geographical area of the City.

The following information was provided on major watersheds within the City of Roanoke and the percentage of the amount of watershed that lies within the jurisdictional boundaries of Roanoke, which indicates that most of the watersheds are outside of Roanoke's jurisdictional boundaries; therefore, storm water needs to be a regional approach in order to be effective.

Roanoke River – 10 per cent	Tinker Creek – 20 per cent
Peters Creek – 50 per cent	Garnand Branch – 85 per cent
Ore Branch – 60 per cent	Trout Run – 100 per cent
Lick Run – 95 per cent	Mudlick Creek – 30 per cent
Murray Run – 50 per cent	Glade Creek – 10 per cent
Murdock Creek – 95 per cent	Barnhardt Creek – 30 per cent

It was noted that the challenges facing Roanoke include periodic flooding downtown, flooding along rivers and streams, nuisance flooding of yards and streets, property damage, aging infrastructure, and inadequate capacity in many existing drains.

A document entitled, Storm Drain Capital Projects, totaling 147 projects listed in priority order, including \$57 million in identified projects ranging from \$5,000.00 to \$11 million, was reviewed.

Information was presented on the criteria for ranking projects; i.e.: health and safety issues, the number of people who will be affected by the project, the potential for damage from structure flooding or other flooding, projected costs, frequency of flooding, economic impact, size of the area, etc.

The City Engineer noted that approximately 64 projects are small scale projects, or less than \$100,000.00, 54 projects fall into the category of \$100,000.00 – \$500,000.00, and less than one fourth of the projects total \$500,000.00 – \$1 million. He explained that a big impact can be made by working on some of the smaller projects (\$100,000.00 projects), rather than the multi million dollar projects, and no one project in the City of Roanoke will solve all of the City's drainage problems because they are scattered City-wide.

Following a review of approximately 15 years of financial data for the City, Mr. Schirmer noted that storm drainage has been funded as follows: no annual General Fund allocation for storm drain capital projects, bond funding averages \$700,000.00 per year and CMERP funding averages \$50,000.00 per year, or a total of \$750,000.00 per year, which includes improvements to storm drainage in the Williamson Road area, Statesman Industrial Park and the Peters Creek Flood Reduction project.

The City Engineer advised that based upon historical averages of \$750,000.00 per year, it will take more than 70 years to meet currently identified storm drain capital project needs, while project demands grow each year; Roanoke's storm drain infrastructure is nearing its useful life and future needs are expected to increase; and water quality regulations will increase funding needs.

Douglas Mosely, representing AMEC Earth and Environmental, Inc., advised that:

- The City of Roanoke has studied storm water management issues and funding periodically since 1995.
- There has been a renewed City focus on storm water management in regard to storm water capital needs, infrastructure maintenance and replacement and water quality mandate; and program funding is the key element to service delivery.
- The City entered into a contract with AMEC Earth and Environmental, Inc., to complete a two phase storm water utility fee feasibility study, which will include a programmatic phase and a data development and analysis phase.
- The programmatic phase will determine the level and extent of storm water management services based upon community needs and capital improvement programming.
- The data development and analysis phase will evaluate data needed to determine an equitable allocation of the cost of service; and the study is designed to help the City reach a decision point concerning implementation of a storm water utility fee.

Elizabeth Treadway, also representing AMEC, Earth and Environmental, Inc., discussed the two phase approach and project schedule:

- The level and extent of service should meet community services needs and expectations, addressing infrastructure including CIP backlog and maintenance, meet unfunded regulatory requirements, enhance floodplain management and flood mitigation capabilities and riparian habitat protection and restoration.
- Data development and analysis will create a digital image of impervious features, determine the demand that impervious features place on the storm water management system, establish a potential billing unit for storm water utility, examine potential billing policies and investigate possible billing mechanisms.
- Project timeline for December – January:

Service level meetings will include establishing the program vision, defining level and extent of service, quantifying capital improvement programming needs and estimating potential cost of service.

Finance policy meetings will address who should pay, what is the cost of storm water service, what are the billing options/mechanisms, what should the utility rate base be (estimated), and what credits should be considered.

Council briefings will include presenting findings from staff workshops/discussions, a discussion on data/billing unit findings, and Council will be advised of key decision points.

Data tasks include analyzing existing data, developing impervious layer and calculating billing units.

The final report will include a compilation of findings, presentation of options and a final Council briefing on decision points.

- Other Virginia localities that have implemented a storm water fee include Norfolk, Virginia Beach, Portsmouth, Newport News, Hampton, Chesapeake and Prince William County.
- The final report will be completed in February 2005 and will include: development of a programmatic vision for storm water management with specific focus on drainage CIP buy-down, and highlight current and future challenges; and geographic and billing system data will determine the appropriate cost allocation strategy, recommended rate and billing structure and revenue generation potential.

Discussion by Council:

- The program should be integrated with other City projects/programs, such as flood reduction, greenways, parks, riparian rights, commercial development, potential role of the Western Virginia Water Authority, opportunities for low impact development, rain gardens, daylight streams and permeable pavement to improve quality as well as quantity.
- Capital construction/long term maintenance costs should be minimized through actions that are more environmentally appropriate by acquiring and opening drainage areas; i.e.: flood plains, flood ways, etc.
- In those localities where storm water management fees have been enacted, are citizens more positive when they see the obvious benefits? Ms. Treadway responded that the shift of funding into a dedicated resource for which there is a stable and predictable outcome provides staff and Council with the opportunity for low impact development, rain gardens, daylight streams and permeable pavement, etc.; it enables the storm water program to be placed on sound ground, financially; the kinds of service that the community values can be delivered without competing against other important City priorities; and the long term outcome over the period of a generation is the kind of change that takes place and will consistently take place while meeting community expectations.
- Is there a linkage with Roanoke County in terms of plans, funding and consultancy? The City Manager responded that when a staff committee was appointed to work with the consultant on storm water management issues, representatives from neighboring jurisdictions were invited to participate on a regional level from the outset; however, those jurisdictions took a “wait and see” approach, while acknowledging the need for storm water management in the community, and if the City is successful in its approach and implementation of a storm water management fee, other localities may participate later. She called attention to those communities that were required to address storm water management much sooner than the City of Roanoke; and while there is some immediate improvement to specific neighborhoods, the real benefit comes through a regional network and a regional solution. She stated that as the City of Roanoke continues to process its own project, the City Engineer and others continue to meet with their counterparts with the hope that if those jurisdictions do not join the City of Roanoke at this time, they will replicate the process in the future leading to a long term regional solution.

- Attention was called to a location on Cove Road, Wellesley Avenue and Abbott Street, N. W., that is prone to storm water build up, and it was suggested that the area be investigated for possible inclusion in the list of storm drain projects.
- Do engineering plans exist outside of the City of Roanoke that would help to alleviate storm water problems? Would it be advantageous for City representatives to meet with officials from those jurisdictions that have flood water that flows into the City of Roanoke?
- There is an opportunity for partnerships with private entities, such as land trusts, to address conservation easements on watersheds and along streams on the watersheds to slow down flood water; and the City has provided grants to the Western Virginia Land Trust, which is headquartered in Roanoke, to educate persons in the Catawba Valley since Catawba Creek, as well as Tinker Creek, supplement the natural flow into the Carvins Cove Reservoir.

(Council Member McDaniel left the meeting.)

HOUSING/AUTHORITY: The "C2C (Cradle to Cradle) Home" is an international home design and construction competition which is conducted by the Council of Community Services through Smith-Lewis Architecture; the purpose of design competition is to design and create affordable and other housing that is energy efficient, based on sustainable and reusable materials and relies on innovative manufacturing techniques and technology; and the City of Roanoke will reimburse the Council of Community Services up to \$100,000.00 for planning activity and land acquisition costs related to the design competition and the City intends to use Community Development Block Grant funds currently designated for the "Multi-Unit Affordable Rental Housing Project" which will be replaced at a later date.

Greg Lewis, representing Smith-Lewis Architecture, Manager of the Cradle to Cradle competition advised that:

- Registration for the competition closed on November 1, 2004, and more than 1,125 registrations were received from more than 40 countries throughout the world.
- The objective of the competition is to encourage the academic community, nationally, to look at issues of affordable housing as it relates to sustainable design and development.

- As a result of the City's efforts, 81 universities throughout the world are now actively looking at designing affordable, sustainable and architecturally appropriate infill housing for the City of Roanoke.
- The Cradle to Cradle competition is a unique opportunity for Roanoke because university teams representing thousands of professional designers from across the United States and abroad, both current and future, are looking at the City of Roanoke and Roanoke's housing issues which are no different from those of other cities throughout the United States and abroad.
- Competition is intended to address the design/build concept and it is hoped that designs will be appropriate in a variety of ways to the extent that a large number of housing designs can be constructed. The goal is to construct at least 30 houses.
- The deadline for housing designs is December 15, 2004, at 5:00 p.m.
- All entries will be photo copied and electronically forwarded to jurors which will allow them to make initial recommendations from the total pool of entries; and jurors will submit their top 50 choices from the total pool of approximately 250 submissions that will be on display at the Art Museum of Western Virginia in January 2005.
- The jury will convene in Roanoke on January 12-13, 2005, at which time they will vote on final designs.
- A workshop is tentatively scheduled for February 2005 with building science professionals throughout the country to develop construction documents.
- Approximately \$250,000.00 in building materials will be donated or pledged for the project.
- There is significant interest by the Roanoke Valley Homebuilders Association and other non-profit groups in constructing some of the houses.
- A design internship will be provided for students from universities whose designs are selected to enable them to visit Roanoke and to work on construction of the house(s). This is similar to a modern day "barn raising" where the community not only plays host, but various organizations and citizens rally

around the project in a community-building spirit by bringing people together who ordinarily would not work together on a regular basis, but share a common interest.

- A number of entries will be submitted by designers who are more interested in developing a theory than a house that will actually be constructed.
- The charge is to use the most appropriate designs and to construct houses for the citizens of Roanoke.

Discussion by Council:

- How can the City of Roanoke be of assistance in hosting the jury that will come to Roanoke to judge the competition in January 2005? Mr. Lewis responded that the Art Museum of Western Virginia has offered to support the jury activity and to host an opening reception for the exhibit; and each person who registered in the competition will be invited to visit Roanoke in February, 2005 to participate in discussions with regard to turning design concepts into houses.
- What type of communication should be shared with the affected neighborhoods? Mr. Lewis responded that he will meet with as many of the neighborhood associations as possible to provide information about the program.
- Could Habitat for Humanity in the Roanoke Valley construct one or more of the houses? Mr. Lewis responded that there has been a verbal commitment by Habitat for Humanity to construct one of the houses from the competition.
- In response to a question regarding the availability of land for the project, the City Manager advised that certain City owned lots and Roanoke Redevelopment and Housing Authority lots will be offered for the project; several large land owners in the City have indicated an interest in participating after reviewing the winning designs and the City has made Community Development Block Grant funds available to the project in order to purchase certain lots that are believed to be appropriate. She stated that all construction activity should not occur in currently low and moderate income neighborhoods since one of the goals of the housing strategic planning process is to diversify neighborhoods and to have less concentration of certain housing income categories than the City currently has.

The Mayor expressed appreciation to Mr. Lewis for his involvement in the Cradle to Cradle project and encouraged the exploration of other avenues that could potentially provide long term benefits to the City as a result of the international housing design competition, such as creation of a center composed of non profit agencies, Federal, State and other institutions, etc. He stated that it is hoped that the citizens of Roanoke will have an appreciation for what the Cradle to Cradle competition will mean for the community in terms of bringing to Roanoke the leading representatives of architectural design from throughout the United States and abroad.

CITY COUNCIL-SCHOOLS: The Council convened in a joint session with the Roanoke City School Board at 12:00 p.m., in Room 159, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Mayor C. Nelson Harris and School Board Chair Kathy G. Stockburger presiding, for the purpose of presenting the City of Roanoke 2005 Legislative Program to the City's representatives to the General Assembly.

CITY COUNCIL MEMBERS PRESENT: Brian J. Wishneff, M. Rupert Cutler, Alfred T. Dowe, Jr., Beverly T. Fitzpatrick, Jr., Sherman P. Lea and Mayor C. Nelson Harris-----6.

ABSENT: Council Member Brenda L. McDaniel-----1.

SCHOOL TRUSTEES PRESENT: William H. Lindsey, Alvin L. Nash, David B. Trinkle and Kathy G. Stockburger, Chair-----4.

ABSENT: Gloria P. Manns, Courtney A. Penn and Robert J. Sparrow-----3.

OFFICERS PRESENT: Representing the City of Roanoke: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

Representing the Roanoke City Public Schools: Doris N. Ennis, Acting Superintendent; Cindy H. Lee, Clerk to the Board; and Richard L. Kelley, Assistant Superintendent for Operations.

Also present were Delegate Onzlee Ware and Delegate William Fralin.

Chair Stockburger expressed appreciation for the opportunity to meet with Council and the City's representatives to the Virginia General Assembly. She advised that the School Board plans to maximize its use of available State funding, and extended an invitation to Council Members and to area legislators to attend School Board meetings and to visit Roanoke's public schools.

Mayor Harris extended condolences to Mr. and Mrs. Hugh Ennis upon the loss of their son, Hugh, Jr. He expressed appreciation to Mr. Kelley who will retire from Roanoke City Public Schools on December 31, 2004, for his many years of service to the school system. He welcomed Delegates Ware and Fralin and presented each with a coaster engraved with the City's new branding logo.

He advised that he, the City Manager, and the Acting Superintendent of Schools continue to hold positive and constructive monthly meetings to address matters of mutual interest and concern to Roanoke's school population.

Presentation of the City/Schools 2005 Legislative Program.

Vice-Mayor Fitzpatrick, Chair, Legislative Committee, expressed appreciation to Delegates Fralin and Ware for their presence, and to Messrs. Penn and Lindsay, the School Board's representatives to the Legislative Committee. He stated that the 2005 Legislative Program has been prioritized in order of importance; whereupon, he called upon Mr. Kelley to present the School's 2005 Legislative Program.

Mr. Kelley advised that State biennium funding for education increased by approximately \$1.5 billion, Roanoke City School's share was \$11.2 million; and the increase was the result of the State recognizing certain additional costs associated with meeting the Standards of Quality that were recommended by the Department of Education and by the JLARC Study, all of which resulted in a significant amount of additional money and additional positions for Roanoke City Public Schools. In terms of the \$11.2 million, he stated that for fiscal year 2004-2005, the increase was approximately \$9.3 million, and is estimated at approximately \$1.8 million for next year; and over the past five years, this represents a significant change in the State revenue articulation which was previously \$3 million and has declined over the past decade to less than \$200,000.00.

Mr. Kelley explained how Roanoke City Public Schools has used the additional \$9.3 million in State funding, which has enabled the Schools to meet priorities and to enact a number of programs and salary enhancements that were previously deferred. He stated that the School Board provided an average teacher salary raise of five per cent; four guidance positions were added at the middle school level and four nursing positions; the high school seven period day was implemented which is a \$1 million plus initiative; six technology technician positions were added; the number of preschool classes for four year old students were increased from 11 to 22; two assistant principals were added, one at the middle school level and one at the elementary school level; five additional instructional personnel were added; and debt service was increased by \$700,000.00 in the current year's budget which will help to achieve the objective of completing the two high school projects by 2010.

He reported that the legislative priorities include the maintenance and enhancement of State funding for Standards of Quality in order to continue progress that has been made to date and to provide additional funding for the State's share of the Standards of Quality; and to continue the joint partnership with the State to improve low performing schools and to restore the fiscal integrity of the State Literary Loan Fund in order to make timely reimbursement for school construction funds. He stated that the School Board is requesting the funding of key positions as recommended by the State Department of Education, which is particularly important for positions required for remediation as

recommended by the State Board of Education; it is hoped that the State will not offset the basic aid formula, sales tax increase, to offset its share of the cost of meeting the Standards of Quality, and the sales tax increase for public education this year amounted to approximately a \$2 million increase for Roanoke City Schools. He added that in order to maintain the School's VRS rate, which is currently 6.1 per cent, the General Assembly adopted legislation which would separate the teacher rate from the State employee rate, resulting in an increase of approximately .6 per cent for the first year. He stated that elimination of the Federal deduction for the Standards of Quality computation would provide about \$730,000.00 more in basic aid funds to Roanoke City Public Schools; and the School Board is asking that the State implement a mechanism to ensure full funding of the car tax reimbursement to the City in 2005-2006.

Mr. Kelley advised that Priority Two requests involve the State program of providing assistance to low performing schools; presently the State administers a program that involves joint grant and academic review teams whereby funds are provided to assist low performing schools with special one time grants and academic review teams that look at academic progress and programs; and the School Board is asking that the State not mandate the take over of low performing schools, but continue the joint partnership. He explained that there is a provision under the Federal No Child Left Behind program that would allow states to have the option of taking over low performing schools; there is an option in the No Child Left Behind legislation that allows the State to substitute its accreditation standards and programs of improvement for Federal standards, which is known as Annual Yearly Progress, and the School Board is asking the State to work with the Federal Government to substitute State standards of accreditation for Federal Annual Yearly Progress standards and to use the State's plan as the substitute for the Federal requirement which would eliminate the confusion over who is accredited. He pointed out that Virginia's program is well above many other states and is recognized as one of the most difficult accreditation standard programs in the United States.

Mr. Kelley advised that Priority Three requests address the State Literary Loan Funds, and during the next two bienniums the School Board hopes to restore the fiscal integrity of the State Literary Fund Loan; for the current biennium, the State transferred approximately \$268 million from the State Literary Fund Loan to finance teacher retirement costs, which has been a recurring problem with the Literary Fund Loan situation, and the potential long term objective of the fund will provide 55 per cent of financing of school construction needs. He explained that under the present Literary Fund Loan fiscal status, when a project is started, it takes a minimum of 18 months before funds are received from the State to reimburse construction costs.

Mr. Kelley further added that the School Board is requesting approval of legislation that would assist in meeting school priorities, which would help the School Board to meet its objectives in terms of accountability for improving student performance based on Standards of Learning tests, ensuring that all schools meet the State accreditation standards, reducing drop out rates and

increasing graduation rates, raising employee salaries from an average increase of two to three per cent to an increase of five per cent annually based on additional State funds received this year, and provide construction loans to modernize or replace school facilities so that by the year 2010 the current capital plan to modernize, renovate or replace all elementary schools, replace the two high school facilities, and renovate the four middle schools will be completed.

(See Roanoke City Public Schools Legislative Program--FY 2004-2006 Biennium on file in the City Clerk's Office.)

Thomas A. Dick, City of Roanoke Legislative Liaison, presented the City of Roanoke's 2005 Legislative Program. He expressed appreciation to area legislators for their efforts on behalf of the citizens of Roanoke with regard to the methadone clinic legislation, the deer management program and increased State funding. He advised that Council adopted the 2005 Legislative Program at its meeting on Monday, November 15, 2004, which incorporated the School Board's legislative agenda; last year, as a part of the budget agreement, the Virginia General Assembly changed the car tax phase out program, therefore, the City requests an amendment to the Commonwealth of Virginia's 2004-2006 budget that would fully fund local reimbursements for the Personal Property Tax Relief Act program in fiscal year 2006 that will enable localities that bill in the Spring, as does the City of Roanoke, to receive the revenue in the same fiscal year billed, which is how revenue has been collected historically; and if additional funding is not provided, the legislature should provide the maximum flexibility possible to localities to address the budgetary, accounting and policy issues associated with the budget shortfall.

He advised that the City requests an amendment to the Commonwealth's 2004-2006 budget to allow the City's Health Department to consolidate and to relocate its operations to the new Human Services Building on Williamson Road; and the City will pay its share and requests that the State provide \$187,958.00 in each year of the budget for its portion of the rent.

Mr. Dick added that the City requests legislation to reinstate the sales tax exemption for its public transit system that the 2004 General Assembly inadvertently eliminated along with several other sales tax exemptions; the elimination of the exemption will cost the City approximately \$50,000.00 annually; and the public transit systems in Richmond, Lynchburg and Alexandria are also affected. He stated that the urban blight issue facing cities involves public safety; there are approximately 250 vacant derelict properties in the City of Roanoke, which generate numerous citizen complaints; in the past six months, the City has boarded up 13 properties and the City is required to take numerous steps before action can be taken except in extreme circumstances. Therefore, he advised that the City requests legislation to amend Section 15.2-906, Code of Virginia, to reduce the amount of time in which a locality can remove, repair or secure any building, wall or other structure which might endanger the public health or safety, and asks that the current 30 day period be reduced to 15 days which will benefit the City's neighborhoods.

Mr. Dick advised that the City of Roanoke has two historic districts; despite the fact that the City contacts all historic district property owners annually with regard to the required review process, property owners continue to authorize work that in some instances must be done over, therefore, the City requests legislation to amend Section 36-99, Code of Virginia, to authorize localities to require building permits for the installation of replacement siding, roofing and windows in buildings within historic districts, which will benefit the City's historic neighborhoods.

He stated that the City of Roanoke is a member of the Virginia First Cities Coalition, which is a group of 15 of the State's older cities; the City of Roanoke supports the broad legislative objectives of the Coalition; First Cities believes that the General Assembly should act to allow the State to meet its funding and personal property taxes; the State should realign its policies and funding formulas to reduce disproportionate economic, fiscal and demographic stresses and disparities on Virginia's fiscally stressed cities; and the State should actively promote conditions to encourage the economic health of cities through employment, neighborhood redevelopment and revitalization of commercial areas. He advised that the City of Roanoke supports the First Cities efforts to:

- Fully restore the Federal funds deduction in the education funding formula; increase funding to assist those students most likely to fail the SOL's; and fully fund the current Standards of Quality.
- Opposes measures that would erode the revenue generating capability of the tax measures passed in 2004.
- Supports measures which raise statewide non general fund taxes and fees to adequately maintain and expand the transportation network.

(See City of Roanoke 2005 Legislative Program on file in the City Clerk's Office.)

Vice-Mayor Fitzpatrick expressed appreciation for the work of the City's representatives to the General Assembly and acknowledged that there is little available money; and while there are those persons who advocate giving back some of the revenue generated last year, it is hoped that every consideration will be given to the City of Roanoke in addressing State mandates which have become more onerous. He stated that City representatives and the City's Legislative Liaison stand ready to come to Richmond when necessary and expressed appreciation for the willingness of area legislators to listen to the concerns and wishes of Roanoke's citizens.

Council Member Cutler expressed appreciation for the work of the City's representatives to the General Assembly. With regard to Senator John Edwards' initiative on the Rail Authority, he expressed a desire to proceed further; he spoke in favor of the Virginia Department of Transportation's Environmental Impact Study of I-81 alternatives to include attention to the rail alternative;

Norfolk Southern has recently indicated more flexibility with respect to public participation in the Heartland Corridor, because public support will be needed to enlarge the tunnels in West Virginia, and the reciprocity might include Norfolk Southern's interest in improving the trackage paralleling I-81, as well as the terminal in Roanoke; the City of Roanoke continues to be concerned about the widening of Interstate 81 and tolls, and requested that more attention be given to rail, both from a freight and a passenger standpoint.

Mr. Wishneff stated that a trend across the country is the recognition by governors and general assemblies of the importance of arts and culture in economic development; the City is dependent on the arts and culture to drive the market; and requested that the City be advised of any statewide efforts in which the City could participate as a demonstration of support.

Vice-Mayor Fitzpatrick stated that there is a conflict between State agencies versus non-state agencies; an effort is being made to bring the appropriate entities together to recommend a plan before approaching the legislature; and if this kind of regional cooperation is achieved, it will be necessary for localities to address funding at the local level, and what kind of mechanism could be put in place at the State level that would allow the City to receive information showing those localities that help themselves and benefit from some form of State funding.

Ms. Stockburger called attention to the diversity of the student population in Roanoke's schools and stressed the importance of funding for alternative education programs. She stated that students participating in the alternative education programs have a much greater graduation success rate than if they were placed back in the regular school setting; sufficient options are needed for each student because there is a large span of student needs and talents, all of which need to be addressed, including funding for the Roanoke Valley Governor's School for Science and Technology.

Ms. Ennis encouraged the return of control of accountability to State and local authorities in the No Child Left Behind program; School Superintendents are concerned about the Annual Yearly Progress (AYP) component of the No Child Left Behind program, and members of the School's executive staff offer their services to meet with area legislators to point out negative impacts on public education; and the Commonwealth of Virginia is a forerunner in the Standards of Quality, therefore, historical data will show the progress that has been made without the AYP component.

Delegate Ware stated that he and Delegate Fralin have a close working relationship at the General Assembly, they understand that their districts overlap, and they are aware of and understand the concerns regarding education issues relative to funding and standards. He advised that he frequently confers with the City Manager on various issues; there appears to be some additional money available though the State for certain things such as transportation;

area legislators work as a team and have the assistance of the City's Legislative Liaison who keeps them informed about issues of importance. He expressed appreciation for the open lines of communication between area legislators and local officials.

Delegate Fralin stated that it has been an honor to serve the citizens of Roanoke. He expressed appreciation for the input he has received from local officials, and advised that he works closely with Delegate Ware to protect the City's best interests. He commended Mr. Dick for his efforts to keep area legislators informed of current issues and stressed the importance of hearing from local officials in a timely manner concerning issues of concern. He stated that he was pleased to be able to help secure additional school funding; accountability in school standards is important; as a result of discussions with the Governor and leadership of the House of Delegates there could be a solution to the Spring collection of the car tax; transportation will be an issue during the 2005 Session of the legislature and he looks forward to working with other members of the General Assembly to find ways to fund transportation needs. He stated that he is interested in helping to attract low cost air carriers to regional airports; and the Heartland Corridor is important for the Roanoke Valley because it will open an east/west corridor for rail that has not been available for some time. He called attention to certain amendments which were addressed last year regarding school safety and referred to the importance of cultural institutions working together toward a State funding mechanism.

There being no further business, Chair Stockburger declared the meeting of the Roanoke City School Board adjourned at 1:20 p.m.

Following a brief recess, Council reconvened in Room 159, Noel C. Taylor Municipal Building.

COMMUNICATIONS DEPARTMENT: The City Manager advised that the City of Roanoke has received national accreditation for its public safety activities, i.e.: Fire Department, Police Department, and Sheriff's Office; and the City's E-911 Center and staff have also expressed an interest in moving toward national accreditation.

John Elie, Director of Technology, advised that:

- The E-911 Center is responsible for dispatching Police, Fire, and EMS staff throughout the City of Roanoke in response to citizen safety issues; and the Center operates 24 hours a day, 365 days a year and responds to 911 calls originating from the City of Roanoke.
- Telephone calls to the City's 853-2000 telephone number after normal business hours are routed to the E-911 Center which includes calls to Parks and Recreation, the Child Abuse Hotline, the Information Desk, and Public Works.

- The E-911 Center, a division of the Department of Technology, has 41 employees that staff three eight hour shifts; staff includes a Superintendent, a Communications Coordinator, System Administrator, five supervisors, and 33 dispatchers; and typically five to six dispatchers are on duty per shift with a supervisor.
- Dispatcher skill requirements include: certification in CPR (Cardio Pulmonary Resuscitation), certification in Emergency Medical Dispatch, certification to use the Virginia Criminal Information Network, completion of a basic dispatch academy class, and dispatchers must be cleared to work Police and Fire/EMS stations.
- Dispatchers must meet ongoing educational requirements in order to maintain their certifications.
- In 2003, the E-911 Center processed 147,426 calls for Police and 21,370 calls for Fire/EMS; as of December 2004, the E-911 Center had processed 137,245 calls for Police and 20,329 calls for Fire/EMS; and after hour non-emergency calls account for an additional 115,000 calls per year.
- E-911 staff offer scheduled tours of the Communications Center and attend neighborhood meetings to educate citizens on 911 services; and the 911 Center is proud of its high citizen approval ratings. (95 per cent on 2003 citizen survey).
- The objective of the National Accreditation program is to obtain national accreditation for the E-911 Center by participating in a two-year assessment program conducted by the Commission on Law Enforcement Agencies (CALEA).
- As a part of Roanoke's E-911 Center to provide outstanding communication services to citizens, accreditation will ensure that the 911 Center benefits from industry "best practices" and peer reviews.
- Requirements for accreditation include internal staff time and an accreditation coordinator, on site assessments by CALEA staff, participating in CALEA conferences, \$9,000.00 for the initial cost and \$2,700.00 annual re-certification cost, and the City will apply for a \$3,500.00 grant from CALEA to defray costs.
- Council will be requested to adopt a resolution supporting accreditation and re-certification at its meeting on Monday, December 20, 2004.

- The grant application must be submitted to CALEA by December 31, 2004, announcement of grant approval by CALEA will occur in April, 2005, and completion of the accreditation process will take place in the time frame of July to December 2006.
- The City of Roanoke could become the first locality in Virginia to be accredited across all public safety efforts: Police, Fire, EMS, and Sheriff.
- Staff has researched accreditation requirements with CALEA, attended a CALEA conference in July 2004, held discussions with representatives of the City of Virginia Beach regarding its accreditation process, visited the 911 Center in Columbia, South Carolina, obtained letters of support from Police and Fire/EMS departments, and prepared a grant application for approval by Council.

ZONING: Nancy Snodgrass, Zoning Administrator, reviewed the preliminary schedule with regard to final steps for the Zoning Ordinance process/update. She advised that:

- A final meeting of the Zoning Ordinance Steering Committee was held on November 3, 2004.
- Staff preparation of the Steering Committee draft ordinance started on November 4, 2004, and continues to date.
- Individual review by Steering Committee members of the draft ordinance will take place on December 9 - 14, 2004.
- The draft ordinance will be transmitted from the Steering Committee Co-chairs to the City Planning Commission on December 6, 2004.
- The pre-public hearing phase will take place from December 16, 2004 to March 1, 2005, with the draft ordinance submitted by the Steering Committee to be made available for public review, including online posting (strike/highlight version will readily identify changes from the public discussion draft); staff will continue to work on the proposed zoning map which is anticipated for release for public review by mid-January, 2005; and establishment of the process and dates for public hearing and property owner notification.

- The public hearing/adoption process will take place in March - May 2005, with a joint public hearing by Council and the City Planning Commission in March 2005, and adoption of the process will include City Planning Commission consideration in April 2005 and Council consideration in May, 2005.

At 1:50 p.m., the Mayor declared the Council meeting in recess to be reconvened at 2:00 p.m., in the Council Chamber.

At 2:00 p.m., on Monday, December 6, 2004, the Council meeting reconvened in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor C. Nelson Harris presiding.

PRESENT: Council Members Beverly T. Fitzpatrick, Jr., Sherman P. Lea, Brenda L. McDaniel, Brian J. Wishneff, M. Rupert Cutler, Alfred T. Dowe, Jr., and Mayor C. Nelson Harris-----7.

ABSENT: None-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The invocation was delivered by Council Member Sherman P. Lea.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Harris.

PRESENTATIONS AND ACKNOWLEDGMENTS:

DECEASED PERSONS: Council Member Dowe offered the following resolution memorializing the late Hugh Ennis, Jr.

(#36902-120604) A RESOLUTION memorializing the late Hugh Ennis, Jr., son of Doris N. Ennis, Acting Superintendent of Roanoke Public Schools.

(For full text of resolution, see Resolution Book No. 69, Page 193.)

Mr. Dowe moved the adoption of Resolution No. 36902-120604. The motion was seconded by Mr. Fitzpatrick and adopted by the following vote:

AYES: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe and Mayor Harris-----7.

NAYS: None-----0.

The Mayor presented a ceremonial copy of the above referenced measure to Mr. and Mrs. Ennis.

ACTS OF ACKNOWLEDGEMENT-CITIZEN OF THE YEAR: Mr. Dowe offered the following resolution:

(#36903-120604) A RESOLUTION naming Claudia Alexander Whitworth as Roanoke's Citizen of the Year for the year 2004.

(For full text of resolution, see Resolution Book No. 69, Page 194.)

Mr. Dowe moved the adoption of Resolution No. 36903-120604. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe and Mayor Harris-----7.

NAYS: None-----0.

The Mayor presented a ceremonial copy of the above referenced resolution to Mrs. Whitworth.

ACTS OF ACKNOWLEDGEMENT: The Mayor advised that Shining Star Awards are presented to persons who go above and beyond the call of duty to be of service to their community. On behalf of the Members of Council, he stated that he was pleased to present Shining Star Awards to Shamica Steelman and Charles and Sarah Lex.

The Mayor advised that Ms. Shamica Steelman, without thinking about her personal safety, placed her life in danger so that she could save a four year old child from drowning at the Washington Park swimming pool on August 19, 2004.

The Mayor presented the second award to Charlie and Sarah Lex, who, for five years, volunteered their time working in the rose garden at Elmwood Park by pruning, fertilizing and seeding the rose bushes. He stated that their weekly and sometimes daily nurturing kept the roses around the Mayor's monument looking attractive for the park's many visitors.

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, the item would be removed from the Consent Agenda and considered separately.

MINUTES: Minutes of the regular meeting of Council held on Monday, October 18, 2004, were before the body.

(For full text, see Minutes on file in the City Clerk's Office.)

Mr. Fitzpatrick moved that the reading of the minutes be dispensed with and that the minutes be approved as recorded. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe and Mayor Harris-----7.

NAYS: None-----0.

LEASES--COMMONWEALTH OF VIRGINIA BUILDING: A communication from the City Manager requesting that Council schedule a public hearing for Monday, December 20, 2004, at 7:00 p.m., or as soon thereafter as the matter may be heard, to extend the current lease with the United States General Services Administration for office space within the Commonwealth Building, was before the body.

The City Manager advised that the United States General Services Administration (GSA) currently leases space within the Commonwealth Building; GSA uses the second floor of the building for the Federal Bankruptcy Court and affiliated offices; the current lease expired on October 31, 2004; the original agreement provides the GSA with an option to continue the agreement on a month-to-month basis (not to exceed an additional 90 day period), which the GSA is currently exercising; the GSA wishes to continue its lease of the second floor and to begin leasing an office suite on the first floor as well; and the GSA wishes to extend the current agreement to allow time to complete the necessary improvements to the first floor area before executing an overall new lease for space on the first and second floors.

It was further advised that the month-to-month option in the current agreement does not provide sufficient time to complete the above referenced improvements; therefore, an extension of the current lease agreement is proposed to run through December 31, 2004; and with the 90 day maximum option provision, this would give the space to the GSA under the current agreement until March 31, 2005, if necessary, pending completion of ongoing improvements on the first floor and finalization of a new lease agreement.

The City Manager recommended that Council hold a public hearing on Monday, December 20, 2004, at 7:00 p.m., or as soon thereafter as the matter may be heard.

Mr. Fitzpatrick moved that Council concur in the recommendation of the City Manager. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe and Mayor Harris-----7.

NAYS: None-----0.

OATHS OF OFFICE-COMMITTEES-YOUTH: A report of qualification of Earnestine Garrison as a member of the Youth Services Citizen Board, for a term ending May 31, 2006, was before Council.

Mr. Fitzpatrick moved that the report of qualification be received and filed. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe and Mayor Harris-----7.

NAYS: None-----0.

REGULAR AGENDA

PUBLIC HEARINGS:

EASEMENTS-SPECIAL PERMITS: Pursuant to action taken by the Council, the City Clerk having advertised a public hearing for Monday, December 6, 2004, at 2:00 p.m., or as soon thereafter as the matter may be heard, on a request for encroachment of an awning eight feet above the sidewalk and 39 inches into the public right-of-way at 105 Wall Street, S. E., the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, November 26, 2004.

A communication from the City Manager advising that Jay Aneja, on behalf of Smither's Jewelers, Inc., has requested permission to install a new awning on the building at 23 Salem Avenue, S. E., which would encroach into the public right-of-way; City records indicate that the correct address is 23 Salem Avenue, S. E., however, there is an entrance to the building at 105 Wall Street, S. E., which is the location where the awning will be installed; and owners of the property, John Lawrence and Elizabeth Adams, do not object to installation of the awning.

It was further advised that the proposed awning would encroach approximately 39 inches into the right-of-way of Wall Street, S. E., and have eight feet of clearance above the sidewalk; the right-of-way of Wall Street at this location is approximately 60 feet in width; liability insurance and indemnification of the City of Roanoke by the applicant has been provided and the applicant has received approval by the Architectural Review Board to install the proposed awning.

The City Manager recommended that Council adopt an ordinance granting a revocable license to allow for installation of an awning at 105 Wall Street, S. E., and encroaching into the public right-of-way of Wall Street.

Mr. Cutler offered the following ordinance:

(#36904-120604) AN ORDINANCE granting a revocable license to permit the encroachment of an overhead awning at a height above the sidewalk of eight (8) feet, with the overhead awning extending thirty-nine (39) inches, in the public right-of-way of 105 Wall Street, S. E., from property bearing Official Tax No. 4010319, upon certain terms and conditions; and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book 69, Page 196.)

Mr. Cutler moved the adoption of Ordinance No. 36904-120604. The motion was seconded by Mr. Fitzpatrick.

The Mayor inquired if there were persons present who would like to speak in connection with the public hearing. There being none, he declared the public hearing closed.

There being no discussion or comments by Council Members, Ordinance No. 36904-120604 was adopted by the following vote:

AYES: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe and Mayor Harris-----7.

NAYS: None-----0.

BONDS/BOND ISSUES-SCHOOLS: Pursuant to action taken by the Council, on Monday, the City Clerk having advertised a public hearing for Monday, December 6, 2004, at 2:00 p.m., or as soon thereafter as the matter may be heard, on a request of the Roanoke City School Board for approval of the issuance of general obligation bonds, in an amount not to exceed \$1,600,000.00, for financing a portion of the cost to rehabilitate, repair or equip Fallon Park Elementary School, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, November 19, 2004, and Friday, November 26, 2004.

A communication from the Clerk to the Roanoke City School Board advising that the School Board at a special meeting on November 11, 2004, approved a resolution requesting that Council issue General Obligation Qualified Zone Academy Bonds (QZAB), in an aggregate principal amount not to exceed \$1,600,000.00, to be used to rehabilitate, repair, and/or equip Fallon Park Elementary School.

It was further advised that the QZAB initiative is a Federal program that allows lending institutions and schools to form a mutually beneficial partnership to support education; the program offers bonds interest-free and allows a bank or other lending institution to purchase the special no-interest bond on behalf of a school; and schools qualify based on their percentage of free lunch students.

The Mayor inquired if there were persons present who would like to be heard in connection with the public hearing. There being none, he declared the public hearing closed.

The Mayor advised that Council would be requested to take action on the request at a later date.

There were no comments or discussion by Council Members.

PETITIONS AND COMMUNICATIONS: NONE.

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS: See pages 471 and 475.

POLICE DEPARTMENT-BUDGET-CITY SHERIFF: The City Manager presented a communication advising that the City of Roanoke's ability to retain sworn police personnel has become a growing concern; this year, turnover of sworn police personnel totaled 12.8 per cent; as the largest and most comprehensive Police Department in the Roanoke Valley, it is important that Roanoke provide salaries for sworn police officers that will sufficiently attract and retain well-qualified staff; and Council has encouraged staff to look for solutions to the problem, therefore, the last several months have been devoted to evaluating various options.

It was further advised that during 2004, of the total terminations that were not retirements or deaths, seven out of 18 police officers left for other public safety employment in the area; while a reasonable amount of turnover can be expected, when police officers are leaving the City of Roanoke to work for other law enforcement agencies in the area, it becomes a more serious issue; the average service for these officers was six years, which indicates that the City is losing well-trained, seasoned officers to agencies that will not have to incur the cost and time related to training; and Police Department statistics indicate that longer-term police officers have less accidents and complaints, thus providing for increased overall citizen satisfaction.

It was explained that during the past several months, City staff has evaluated data in great detail; upon analyzing salary market data, a number of variables became apparent: first, Roanoke starting salaries, while competitive, are actually a little lower than a number of the jurisdictions in the area, as well as some of the larger jurisdictions in the Virginia First Cities group; and second and

most important is the fact that almost all jurisdictions have some type of automatic promotion/job reclassification once the officer completes the police academy or completes the probationary period, resulting in an additional pay adjustment and movement to a higher pay range.

The City Manager advised that in 1999, as part of the budget process, Council authorized a Career Enhancement Program as a way to reward officers for attaining job specific skills; while it is an excellent program, it was intended to compensate for skills that usually take longer than three years to attain; therefore, the program does not address retention of police officers during the first part of their career; in July 2003, Council approved the Community Policing Specialist Program which provides pay incentives designed to promote the concept of community policing throughout the department; however, by itself, the program is not sufficient to retain police officers; and staff will continue to look for ways to expand incentives for police officers in order to improve service levels through higher rewards.

It was further advised that in order to address the retention issue, the City administration has determined that a new classification will be created; upon successful completion of the initial probationary period as a police officer at Pay Grade 11 (approximately 18 months), the employee would be reclassified to a Police Officer II and raised to the minimum of Pay Grade 12 (\$33,452.12-\$50,178.18); with addition of the new job classification, the City of Roanoke will be more in line with salary practices of competitors in the marketplace; and all other sworn employees, with the exception of the Police Chief, will be given a pay increase of four per cent in order to mitigate salary compression.

The City Manager explained that the pay actions are planned for implementation in January 2005; salary lapse funds in the Police Department are sufficient to cover the cost of this such action for the balance of the current fiscal year; the cost of a full year's implementation (\$475,000.00) will be the top item in next year's budget process; and no Council action is required to implement the changes.

A communication from the Honorable George M. McMillan, Sheriff, advising that although the action proposed by the City Manager is necessary to correct one of the problems of law enforcement in the City of Roanoke, it should be pointed out that the proposal solves only one-half of the problem and does not include sworn law enforcement officers of the Sheriff's Office, who have always been treated with the same respect as police officers, who face the same basic problems and dangers of law enforcement officers in the City of Roanoke; the City Manager's letter accurately describes the situation that also exists in the Sheriff's Office; and the Sheriff's Office has experienced approximately a 10 per cent turnover rate compared to the Police Department's 12.8 per cent.

He further advised that if the City Manager proceeds with implementing the reclassification of police officers and increasing the pay of all currently sworn officers in the Police Department and excluding sworn deputy sheriffs, it says, in effect, that police officers are more important than deputy sheriffs which will

create an atmosphere of dislike between the two agencies in a time when cooperation between the two agencies is at an all time high and create other problems; while deputy sheriffs may not be in the public eye as much as police officers, their role in the safety of the community is no less vital; the Sheriff's Office handles booking for the Police Department to ensure that police officers may return to the street as quickly as possible; the Sheriff's Office assumed the responsibility from the Police Department for serving approximately 45,000 criminal subpoenas per year allowing police officers to address other duties; the Sheriff's Office provides DARE services in the elementary schools; at the request of the Chief of Police, the Sheriff's Office recently assisted the Police Department with guarding a dangerous criminal in the hospital who was shot during an arrest attempt; therefore, the level of cooperation between the two law enforcement agencies is an important aspect to effective and efficient law enforcement services within the City of Roanoke.

The Sheriff proposed that the City Manager include deputy sheriffs in the reclassification, effective January 1, 2005; however, if sworn deputy sheriffs are not included in the initiative, he proposed that Council implement the same reclassification for deputy sheriffs and provide the same pay increase for current deputy sheriffs, effective July 1, 2005.

Sheriff McMillan explained that the cost to include Deputy Sheriffs in the reclassification plan for the remainder of the fiscal year is approximately \$149,822.00; however, the cost is offset by the fact that the Compensation Board provided all deputy sheriffs in the Sheriff's Office with a 4.82 per cent pay increase, effective December 1, 2004 on Compensation Board approved salaries which means that no or few additional City funds will be necessary to include deputy sheriffs in the reclassification plan and provide for a four per cent pay increase.

Mayor Harris and Council Members Wishneff, Lea and Dowe commended the City Manager on the proposed initiative.

Following discussion the Mayor advised that without objection by Council, the request of the Sheriff would be referred to the City Manager and to fiscal year 2005-2006 budget study.

ITEMS RECOMMENDED FOR ACTION:

FEE COMPENDIUM: The City Manager submitted a communication advising that on April 1, 2002, Council adopted Ordinance No. 35792-040102 to provide for an outdoor dining permit program and amended the Fee Compendium; the annual fee of \$3.25 per square foot of area approved for outdoor dining has been set annually by Council; and total program revenues from 13 participating restaurants in 2004 are \$6,066.50, (includes the \$75.00 application fee from each restaurant).

In a further effort to provide an incentive for restaurants to apply for outdoor dining permits, the City Manager recommended that the reduced fee of \$3.25 per square foot be continued for calendar year 2005, as well as for all future years; if the application is unaltered from the immediately preceding year (using the same amount of space at the same location with the same furniture and materials), it is recommended that the \$75.00 application fee be waived; upon approval of the revised fee structure, the Fee Compendium will be updated; and City Staff will continue to review all applications and insurance requirements on an annual basis.

Mr. Dowe offered the following ordinance:

(#36905-120604) AN ORDINANCE directing amendment of the Fee Compendium to establish the application and square footage fee for outdoor dining permits; and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book 69, Page 198.)

Mr. Dowe moved the adoption of Ordinance No. 36905-120604. The motion was seconded by Mr. Fitzpatrick and adopted by the following vote:

AYES: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe and Mayor Harris-----7.

NAYS: None-----0.

BUDGET-FIRE DEPARTMENT-SCHOOLS: The City Manager submitted a communication advising that in January 2005, Roanoke Fire-EMS and the Roanoke Regional Fire-EMS Training Center will partner with Virginia Western Community College (VWCC) in an effort to enhance academic opportunities for Fire-EMS personnel; Virginia Western Community College will grant college level credits for certain qualifying courses taught at the Regional Training Center to include the Fire-EMS Academy and Emergency Medical Technician Intermediate; in order for personnel to receive college credit, they must register with VWCC and pay the required tuition; as a part of the partnership, VWCC will reimburse all tuition costs to the City after completion of the class; and the partnership will allow personnel to earn college credits for the course at no cost to the City.

It was further advised that Roanoke Fire-EMS strongly encourages all employees to pursue opportunities for higher education; and the partnership will afford personnel the opportunity to earn college credits for foundation courses taught in the Regional Fire-EMS Recruit Academy, as well as courses offered at the Regional Training Center.

The City Manager recommended that Council authorize the Director of Finance to establish a revenue estimate in the General Fund, in the amount of \$50,000.00, to recover tuition costs paid to VWCC enabling college credits; and appropriate funds in the same amount to Account No. 001-520-3212-2105.

Mr. Fitzpatrick offered the following ordinance:

(#36906-120604) AN ORDINANCE to appropriate funds for the Virginia Western Community College Partnership, amending and reordaining certain sections of the 2004-2005 General Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book 69, Page 198.)

Mr. Fitzpatrick moved the adoption of Ordinance No. 36906-120604. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe and Mayor Harris-----7.

NAYS: None-----0.

DIRECTOR OF FINANCE:

BONDS/BOND ISSUES-BUDGET: The Director of Finance submitted a written report advising that the City's 2004B general obligation public improvement bonds of \$46 million have been issued and proceeds are available for appropriation; and the following are projects to be funded by Series 2004B bonds.

<u>Project</u>	<u>Issue Amount</u>	<u>Amount Previously Appropriated</u>	<u>Remaining to be Appropriated</u>	<u>Appropriation Account</u>
<u>Capital Project Fund</u>				
Public Buildings				
Police Building Phase II Expansion	6,670,000.00	6,670,000.00		N/A
Fire/EMS Facilities	<u>4,435,000.00</u>	<u>600,000.00</u>	<u>3,385,000.00</u>	008-530-9678-9169
Total:	11,105,000.00	7,270,000.00	3,835,000.00	
<u>School Capital Projects Fund</u>				
Public Schools (Patrick Henry and William Fleming High Schools)	25,000,000.00	19,500,000.00	5,500,000.00	031-065-6066-9138
<u>Civic Center Fund:</u>				
Civic Center Phase II Expansion	7,895,000.00	2,300,000.00	5,595,000.00	005-550-8616-9169
<u>Parking Fund</u>				
Downtown West Parking Garages	<u>2,000,000.00</u>	<u>600,000.00</u>	<u>1,400,000.00</u>	<u>007-540-8252-9169</u>
TOTAL ISSUE	<u>46,000,000.00</u>	<u>29,670,000.00</u>	<u>16,330,000.00</u>	

It was further advised that several projects have been established and funded from the 2004B General Obligation Bonds in advance of issuance; a proposed budget ordinance will provide appropriate budgetary adjustments where bond funds have been appropriated in advance of issuance and appropriate remaining funds to applicable project accounts.

The Director of Finance recommended that Council adopt the above referenced ordinance.

Mr. Fitzpatrick offered the following ordinance:

(#36907-120604) AN ORDINANCE to appropriate funding from the Series 2004B General Obligation Bonds to various capital projects, amending and reordaining certain sections of the 2004-2005 Civic Facilities, Parking, Capital Projects and School Capital Projects Funds Appropriations and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book 69, Page 199.)

Mr. Fitzpatrick moved the adoption of Ordinance No. 36907-120604. The motion was seconded by Mr. Dowe.

Council Member Wishneff stated that the City should retain the ability to address other more important priorities, such as the construction of parking in support of actual development, rather than in the abstract; therefore, he advised that he would vote against the above referenced ordinance. He requested a briefing at the next Council meeting on the status of supply and demand for downtown parking.

Ordinance No. 36907-120604 was adopted by the following vote:

AYES: Council Members Fitzpatrick, Lea, McDaniel, Cutler, Dowe and Mayor Harris-----6.

NAYS: Council Member Wishneff-----1.

Without objection by Council, the Mayor requested that Council be provided with a briefing by the City Manager on the status of supply and demand for downtown parking.

AUDITS/FINANCIAL REPORTS: The Director of Finance submitted the Financial Report for the City of Roanoke for the month of October 2004.

(For full text, see report on file in the City Clerk's Office.)

There being no questions or comments, without objection by Council, the Mayor advised that the October Financial Report would be received and filed.

REPORTS OF COMMITTEES: NONE.

UNFINISHED BUSINESS: NONE.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

CITY COUNCIL-NATIONAL LEAGUE OF CITIES: Council Member Lea advised that he represented the City of Roanoke at the National League of Cities on November 30-December 4, 2004, in Indianapolis, Indiana, at which time he accepted the Center for Digital Government Award that recognized the City of Roanoke as fifth place winner in the 75,000.00-125,000 population category.

ACTS OF ACKNOWLEDGEMENT-CITY COUNCIL-VIRGINIA TECH: Council Member Wishneff congratulated the Virginia Tech football team, winners of the ACC title on Saturday, December 4, 2004, and wished them success as they compete against No. 3 rated Auburn in the Sugar Bowl on January 3, 2005, at the New Orleans Superdome.

Mr. Fitzpatrick moved that the City Attorney be requested to prepare a measure congratulating Virginia Tech for consideration by Council at its regular meeting on Monday, December 20, 2004. The motion was seconded by Mr. Wishneff and unanimously adopted.

ACTS OF ACKNOWLEDGEMENT-CITY COUNCIL-SCHOOLS: Vice-Mayor Fitzpatrick advised that 32 per cent of all college students native to Virginia attend schools within a 50 mile radius of the City of Roanoke in the area that extends from Alleghany County to Franklin County, with college concentration from Wytheville Community College east and including such institutes as Virginia Tech, Radford University, New River Community College, Wytheville Community College, Dabney S. Lancaster Community College, Virginia Western Community College, Ferrum College, Hollins University, Roanoke College and the Roanoke Higher Education Center. He added that if students from Lexington, Lynchburg, and Danville are included, approximately 45 per cent of all college students native to Virginia attend schools in this region which is a powerful economic model. He suggested that the City Manager submit a recommendation(s) on a concept(s) to acknowledge those colleges and universities.

CITY COUNCIL-SOIL CONSERVATION: Council Member Cutler advised that he represented the City of Roanoke at a meeting of the Virginia Sustainable Building Network on Friday, December 3, 2004. He encouraged the City to join the organization to ensure that future new buildings will adopt new energy, conservation and recyclable material guidelines.

POLICE DEPARTMENT-FIRE DEPARTMENT-ACTS OF ACKNOWLEDGEMENT-CITY COUNCIL: Council Member Dowe congratulated the Roanoke Branch, NAACP, on the successful Freedom Fund Banquet which was held on Friday, December 3, 2004, and called attention to the diversity of those persons in attendance. He also called attention to the number of young people who attended the event this year, and congratulated outgoing President Brenda Hale on her leadership to the Roanoke Branch, NAACP.

The Mayor advised that Roanoke's public safety departments: Police Department, Sheriff's Department and Fire Department were recognized and commended by the NAACP at the banquet.

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard and matters requiring referral to the City Manager will be referred immediately for response, recommendation or report to Council.

CITY MANAGER COMMENTS:

CITY MANAGER-SCHOOLS: The City Manager pointed out that a four year college is currently located within Roanoke City limits, the Jefferson College of Health Sciences, which is growing in terms of the number of enrollments. She called attention to a meeting with the President of the College at which time she was briefed on the ambitious goals of the institution to expand to a student population of 1,000 within the next three years, with the addition of several graduate level programs. She stated that during the next several years, dormitories may be constructed in the downtown Roanoke area to serve the needs of the student population.

CITY MANAGER: The City Manager presented each Member of Council with a copy of the Municipal Calendar which will be mailed to each City residence, and the City's Quarterly Citizen Magazine will also be mailed to each City residence in January, 2005.

She called specific attention to a photo contest in which residents of the Roanoke Valley were asked to submit photographs of places, activities, or individuals that best represent the special nature of the City of Roanoke in recognition of Roanoke having been selected as one of the nation's most livable communities.

At 3:20 p.m., the Mayor declared the Council meeting in recess to be reconvened in Room 159 for an update on traffic calming.

At 3:25 p.m., the Council meeting reconvened in Room 159, Noel C. Taylor Municipal Building, with all Members of the Council in attendance, Mayor Harris presiding.

TRAFFIC: The City Manager introduced a briefing on street calming and transportation initiatives. She advised that City staff requests input by Council regarding priorities/improvements to be addressed over the next several months.

Kenneth H. King, Jr., Manager of Transportation, advised that:

- During the past several months, the following streetscape enhancement projects have been implemented: Williamson Road, Jamison and Bullitt Avenues and Grandin Village.

- The purpose of the project development phase is to manage and to prioritize needs and citizen requests, to ensure appropriate communication between staff, management, City Council and citizens; and to identify the means to ensure that priorities are revisited periodically and to ensure progress on individual projects.
- Project development includes:
 - Project identification and scoping; i.e.: project request received or need identified, scope of project, stakeholder involvement, brief City management and Council, and City Manager/City Council approval for funding for preliminary engineering.
- Preliminary Engineering; i.e.: project planning and development, stakeholder involvement, identify candidate projects for funding, brief City management and City Council, and City Manager/City Council approval of funding for implementation.
- Project Implementation: i.e.: final engineering design and permitting, and construction.
- Candidate projects are divided into two categories: Traffic Operational Improvements and Streetscape Projects.

Mark D. Jamison, Traffic Engineer, reviewed the following traffic operational improvements:

- Aviation/Towne Square/Thirlane intersection which involves possible intersection improvements to include roadway realignment and installation of a traffic signal at Aviation Drive and Towne Square, estimated to cost \$1,300,000.00 (estimate does not include acquisition of right-of-way or easements). The project evolved from discussions with Kimco Realty; and the Roanoke Regional Airport Commission is supportive of the project because it will define the front door of the airport and relieve some of the traffic demand on Hershberger Road.
- Orange Avenue/King Street intersection improvements which will evaluate potential improvements to address delays for traffic traveling south on King Street (widening on King Street, turn lanes on Orange Avenue), at an estimated cost of \$25,000.00 for preliminary engineering only.

- Williamson Road/Shenandoah Avenue intersection which includes median construction to provide a northbound left turn lane into Shenandoah Avenue, at an estimated cost of \$200,000.00 (does not include acquisition of right-of-way or resurfacing of existing street within the project limits).
- Hershberger Road/Ordway Drive improvements which involve roadway and intersection improvements to allow removal of a signal at Ordway Drive and Frontage Road and modification of traffic patterns in the area, at an estimated cost of \$1,000,000.00.
- Hollins Road/Mason Mill Road intersection improvements which involve the widening of Hollins Road and Mason Mill Road to provide turn lanes, at an estimated cost of \$25,000.00 for preliminary engineering only.

Mr. King advised that representatives of The Kroger Company and Sam's Club have indicated a willingness to support the Aviation/Towne Square/Thirlane Intersection project and to participate financially; however, they have requested as much justification as possible to begin the process and to advance the request for funds through their corporate offices. He called attention to the importance of preparing financial data and cost estimates, and that the City of Roanoke partially fund the project which will provide the necessary credibility with corporate offices in order to advance the project. He explained that the Roanoke Regional Airport Commission and the Airport Executive Director are supportive of the project and willing to participate in project costs; however, the Executive Director has requested more detailed information which will place her in a better position to negotiate a lease agreement with the Federal Aviation Administration on a proposed radar site at the airport.

Vice-Mayor Fitzpatrick requested more justification on median construction to provide a northbound lane onto Shenandoah Avenue. He advised that a sign on I-581 directing visitors to the Roanoke Civic Center and down Williamson Road, with a right turn to the Roanoke Valley Convention and Visitor's Center, would address the situation.

The Mayor concurred in the remarks of Vice-Mayor Fitzpatrick and suggested that the appropriate signage be explored.

Mr. King reviewed the following streetscape projects:

- Memorial Avenue Streetscape, Phase 2, which will include continuation of streetscape improvements to connect with Grandin Road and Memorial Avenue bike lanes.

There was discussion with regard to bicycle lanes; whereupon, Vice-Mayor Fitzpatrick called attention to the need for more education about bicycles and/or other changes to what is potentially seen as traffic in order to understand the bigger picture; i.e.: greenways and certain streets that will become a part of the connector. He asked that Council be briefed on what City staff believes integrated transportation means and what will be required of the Council as a policy body.

It was noted that City staff is presently updating the Regional Bike Plan.

- Huff Lane Traffic Calming which involves traffic calming in the vicinity of Huff Lane Elementary School, at an estimated cost of \$250,000.00.
- Main Street which involves bicycle and streetscape improvements on Wasena Bridge between Ferdinand Avenue and Wasena Avenue, at an estimated cost of \$10,000.00 for preliminary engineering only.

The Mayor called attention to the intersection of Main Street and Elm Avenue, S. W., and the need for installation of a sign at the traffic light specifying no right turn on red.

- Avenham Avenue traffic calming which involves traffic calming on Avenham Avenue between Franklin Road and Broadway, at an estimated cost of \$30,000.00 for preliminary engineering only.
- Brandon Avenue landscaped median construction which involves the addition of landscaped median islands between Peters Creek Road and the west City limits, at an estimated cost of \$10,000.00 for preliminary engineering only.

Mr. King advised that projects have been listed in priority order in each of the above referenced categories.

The City Manager recommended that Council approve a preliminary engineering study of the Aviation/Towne Square/Thirlane intersection to develop actual design and cost estimates. She advised that Valley View Mall is another key player that should be brought into the discussions, and requested approval by Council to spend \$250,000.00 for preliminary engineering studies as an indication that the project will be partially funded by the City. She explained that \$500,000.00 has been identified in the Public Works/Transportation budget for programming of the recommended projects.

Council discussion centered around traffic volume on Brambleton/Brandon Avenues; Peakwood Drive and issues regarding the Wilton at South Roanoke project; the area around the Art Museum of Western Virginia; the Downtown Master Plan which will address the extension of downtown Roanoke to the other side of Williamson Road and how to capture existing opportunities; streetscape improvements in the Crystal Spring Commercial Corridor, with certain enhancements between Lipes Pharmacy and the post office, i.e.: more angled parking, trees and installation of sidewalk; access to the Bio Medical Center which is a Virginia Department of Transportation project; Riverland Road, Bennington Street and Mount Pleasant Boulevard traffic; and Interstate 581 – Elm Avenue Corridor and the U. S. Route 220 Corridor Study, which is at the stage of finalizing the scope of the project, and given the decision that Interstate 73 will come down the corridor, it is believed that Bio Medical Center access will be focused toward Elm Avenue and Wonju Street, therefore, the City's goal is to make the Elm Avenue connection the primary operational connection in order for the Bio Medical Center to be an extension of downtown.

The City Manager advised that the following projects are recommended:

- Aviation/Towne Square/Thirlane intersection which involves the potential of intersection improvements to include roadway realignment and installation of a traffic signal at Aviation Drive and Towne Square, estimated to cost \$1,300,000.00 (estimate does not include acquisition of right-of-way or easements).
- Huff Lane traffic calming which involves traffic calming in the vicinity of Huff Lane Elementary School, at an estimated cost of \$250,000.00.
- Preliminary engineering on Orange Avenue/King Street intersection which will evaluate potential improvements to address delays for traffic traveling south on King Street (widening on King Street, turn lanes on Orange Avenue), at an estimated cost of \$25,000.00.
- Preliminary engineering which involves traffic calming of Avenham Avenue between Franklin Road and Broadway.

There was discussion with regard to the status of building plans for Roanoke's future art museum; whereupon, the City Manager advised that City staff will confer with the appropriate officials of the Art Museum to arrange for either one on one Council briefings, or a Council work session to address the matter.

COUNCIL: With respect to the Closed Meeting which was held earlier in the day, Mr. Cutler moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Wishneff and adopted by the following vote:

AYES: Council Members Fitzpatrick, McDaniel, Wishneff and Cutler-----4.

NAYS: None-----0.

(Council Members Dowe, Lea and Mayor Harris left the meeting during the briefing on street calming and transportation initiatives.)

There being no further business, the Vice-Mayor declared the meeting adjourned at 4:25 p.m.

A P P R O V E D

ATTEST:

Mary F. Parker
City Clerk

C. Nelson Harris
Mayor
